

Manufacturer Code Agreement ("Agreement")

between EnOcean Alliance Inc., San Ramon, CA 94583, USA ("EnOcean Alliance") and

COMPANY, ADDRESS

as user ("Member") of technology compliant to the respective system specifications of the EnOcean Alliance Inc.

Definitions

Manufacturer Code: products developed in compliance with IEC / ISO 14543-3-10 and in accordance with respective system specifications issued by EnOcean Alliance Inc. with the capability to install a "Manufacturer Code" in order to enable members to develop products which can be identified as products of Member. The Manufacturer Code consists of an 11 bit Manufacturer ID, a 6 bit profile, and a 7 bit type.

Manufacturer ID: The 11 bit Manufacturer ID (ManID) identifies the manufacturer of a product. Every member of the EnOcean Alliance should apply for a unique ManID and apply it for every product labelled by the member. The unique ManID will be assigned by the EnOcean Alliance Inc. following signature of this agreement.

Multi-user Manufacturer ID: The multi-user ManID should be requested by companies / members producing radio modules and applied accordingly. The multi-user ManID may be applied by members for non-finished products. The multi-user ManID should never appear in the market, i.e. any product being sold.

EnOcean Alliance Inc.: The EnOcean Alliance (EnOcean Alliance Inc., San Ramon, CA 94583 USA) is a consortium of companies dedicated to the advancement of self-powered interoperable wireless building control systems.

Member: Companies / manufacturers which joined the EnOcean Alliance Inc. and hold actively the status *Participant* or *Promoter*.

Manufacturer Code License

EnOcean Alliance is willing to grant to Member a respective license as set out herein and Member accepts the license conditions as set out herein.

The Member's 11 bit Manufacturer ID is a unique Manufacturer ID to be assigned to Member by EnOcean Alliance Inc., San Ramon, CA 94583 USA and published in the Manufacturer ID specification.

The multi-user Manufacturer ID is 1111111111 binary (= multi user ID) and should be used only by companies producing radio modules.

Subject to the terms and conditions of this Agreement, EnOcean Alliance grants to Member a license to install its Manufacturer ID in its products. This Manufacturer ID shall not be used by other persons than Member or for other purposes or distribution by Member without prior written authorization from EnOcean Alliance. Member agrees not to install a different Manufacturer ID in its products than the 11 bit Manufacturer ID given above or provided by EnOcean Alliance. EnOcean Alliance under this agreement provides a specification how to install the Manufacturer Code. Member agrees not to distribute this documentation to others to keep unauthorized persons from installing Manufacturer Codes.

No warranty, no liability

EnOcean Alliance cannot be held responsible if other persons than Members are using the above 11 bit Manufacturer ID in their products without written permission by EnOcean Alliance. No oral or written information given by EnOcean Alliance shall constitute a warranty or liability in any way. EnOcean Alliance under no circumstances shall be liable for any incidental, special, indirect or consequential damages arising out of or relating to this Agreement.

Applicable Law

The contractual relations between the Parties shall be governed by the provisions of this Agreement in accordance with the substantive law in force in California, USA. The application of the United Nations Convention on Contracts for the International Sale of Goods as of 11 April 1980 shall be excluded.

Norbert Metzner
Chairman TWG
On behalf of EnOcean Alliance Inc.

(printed name) _____

(function) _____

(signature) _____

(signature) _____

(place, date) _____

(place, date) _____